

STATE OF ILLINOIS



HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

251ST LEGISLATIVE DAY

PERFUNCTORY SESSION

MONDAY, APRIL 14, 2008

3:10 O'CLOCK P.M.

**HOUSE OF REPRESENTATIVES
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251st Legislative Day**

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The House of Representatives met in Perfunctory Session pursuant to adjournment.

LETTER OF TRANSMITTAL

April 14, 2008

Mark Mahoney
Chief Clerk of the House
402 State House
Springfield, IL 62706

Dear Clerk Mahoney:

Please be advised that I am extending the Committee Deadline to April 18, 2008 for House Bills:

House Bills: 2248, 2748, 2861, 4394 and 6316.

If you have questions, please contact my Chief of Staff, Tim Mapes, at 782-6360.

With kindest personal regards, I remain.

Sincerely yours,
s/Michael J. Madigan
Speaker of the House

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 14, 2008, reported the same back with the following recommendations:

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Appropriations-Human Services: HOUSE AMENDMENT No. 1 to HOUSE BILL 6310.

Drivers Education & Safety: HOUSE AMENDMENT No. 1 to HOUSE BILL 4837.

Elementary & Secondary Education: HOUSE AMENDMENT No. 1 to HOUSE BILL 4441 and HOUSE AMENDMENT No. 2 to HOUSE BILL 4900.

Environment & Energy: HOUSE AMENDMENT No. 4 to HOUSE BILL 4789.

Executive: HOUSE AMENDMENT No. 2 to HOUSE BILL 2747 and HOUSE AMENDMENT No. 1 to HOUSE BILL 2819.

Financial Institutions: HOUSE JOINT RESOLUTION 105.

Higher Education: HOUSE JOINT RESOLUTION 97.

Human Services: HOUSE JOINT RESOLUTION 103.

Insurance: HOUSE AMENDMENT No. 2 to HOUSE BILL 5595.

Judiciary I - Civil Law: HOUSE AMENDMENTS Numbered 1 and 2 to HOUSE BILL 5126, HOUSE AMENDMENT No. 2 to HOUSE BILL 5189 and HOUSE AMENDMENT No. 2 to HOUSE BILL 5503.

Judiciary II - Criminal Law: HOUSE AMENDMENT No. 5 to HOUSE BILL 1831, HOUSE AMENDMENT No. 1 to HOUSE BILL 2649, HOUSE AMENDMENT No. 4 to HOUSE BILL 4791, HOUSE AMENDMENT No. 2 to HOUSE BILL 5516 and HOUSE AMENDMENT No. 4 to HOUSE BILL 5739.

Labor: HOUSE AMENDMENT No. 4 to HOUSE BILL 4470.

Local Government: HOUSE AMENDMENT No. 1 to HOUSE BILL 4417.

Mass Transit: HOUSE BILL 6316.

Registration and Regulation: HOUSE BILL 4394.

Revenue: HOUSE JOINT RESOLUTION 93 and HOUSE AMENDMENT No. 1 to HOUSE BILL 2426.

State Government Administration: HOUSE RESOLUTIONS 1188, 1190 and HOUSE AMENDMENT No. 1 to HOUSE BILL 5204.

Juvenile Justice Reform: HOUSE AMENDMENT No. 3 to HOUSE BILL 4988.

The committee roll call vote on the foregoing Legislative Measures is as follows:

3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson

A Black(R), Republican Spokesperson

Y Hannig(D)

A Hassert(R)

Y Turner(D)

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 758, as amended and 4370, as amended.

PENSION NOTES SUPPLIED

Pension Notes have been supplied for HOUSE BILLS 2094, as amended and 5159, as amended.

JUDICIAL NOTES SUPPLIED

Judicial Notes have been supplied for HOUSE BILLS 2094, as amended and 5159, as amended.

CORRECTIONAL NOTE SUPPLIED

A Correctional Note has been supplied for HOUSE BILL 2094, as amended.

HOUSING AFFORDABILITY IMPACT NOTE SUPPLIED

A Housing Affordability Impact Note has been supplied for HOUSE BILL 5159, as amended.

STATE DEBT IMPACT NOTES SUPPLIED

State Debt Impact Notes have been supplied for HOUSE BILLS 2094, as amended and 5159, as amended.

MESSAGES FROM THE SENATE

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE BILL NO. 2295

A bill for AN ACT concerning transportation.

SENATE BILL NO. 2296

A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 2303

A bill for AN ACT concerning public aid.

SENATE BILL NO. 2311
 A bill for AN ACT concerning transportation.
 SENATE BILL NO. 2322
 A bill for AN ACT concerning liquor.
 SENATE BILL NO. 2326
 A bill for AN ACT concerning finance.
 SENATE BILL NO. 2340
 A bill for AN ACT concerning criminal law.
 SENATE BILL NO. 2348
 A bill for AN ACT concerning public aid.
 SENATE BILL NO. 2366
 A bill for AN ACT concerning criminal law.
 SENATE BILL NO. 2394
 A bill for AN ACT concerning public aid.
 SENATE BILL NO. 2434
 A bill for AN ACT concerning regulation.
 SENATE BILL NO. 2444
 A bill for AN ACT concerning aging.
 SENATE BILL NO. 2461
 A bill for AN ACT concerning insurance.
 Passed by the Senate, April 10, 2008.

Deborah Shipley, Secretary of the Senate

The foregoing SENATE BILLS 2295, 2296, 2303, 2311, 2322, 2326, 2340, 2348, 2366, 2394, 2434, 2444 and 2461, were ordered reproduced and placed on the order of Senate Bills - First Reading.

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 83

WHEREAS, During the 1970s, a special provision was written into the Social Security Act of 1935 concerning contingent academic workers; that provision excluded education workers from receipt of unemployment benefits unless they can demonstrate that they do not have "reasonable assurance" of continued employment; and

WHEREAS, Academic contingent workers in higher education are frequently denied access to unemployment benefits based on a very broad interpretation of "reasonable assurance"; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there is created the Unemployment Insurance for Contingent Academic Workers Task Force; and be it further

RESOLVED, That the Task Force shall be charged with the following tasks:

- (1) to estimate costs to higher education institutions of a change in law that allows contingent academics to collect unemployment insurance; and
- (2) to examine the growth of employment of part-time contingent faculty over the past 10 years; and be it further

RESOLVED, That the Task Force shall be composed of the following:

- (1) 2 members who are statewide education labor union representatives from a 2-year institution; each member shall be appointed by the union that he or she represents;
- (2) 2 members who are statewide education labor union representatives from a 4-year institution; each member shall be appointed by the union that he or she represents;

(3) 2 members who are management representatives from higher education institutions appointed by the Board of Higher Education;

(4) one member appointed by the Department of Employment Security;

(5) 4 legislative members; one of whom shall be appointed by the President of the Senate; one of whom shall be appointed by the Minority Leader of the Senate; one of whom shall be appointed by the Speaker of the House of Representatives; and one of whom shall be appointed by the Minority Leader of the House of Representatives; and

(6) one member appointed by the Governor; and be it further

RESOLVED, That the Task Force may hold hearings on the issue of unemployment insurance for contingent academic workers and will report its findings to the General Assembly on or before December 31, 2009; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Board of Higher Education and the Director of Labor.

Adopted by the Senate, April 11, 2008.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 91

WHEREAS, The 95th General Assembly adopted House Joint Resolution 111 creating the Joint Committee for the Constitutional Convention Proposal and resolving that the Joint Committee file a report with the Clerk of the House and the Secretary of the Senate by April 4, 2008; and

WHEREAS, The Joint Committee for the Constitutional Convention Proposal needs further time to complete its report; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Joint Committee for the Constitutional Convention Proposal shall file its report, as established in its authorizing resolution, on or before May 15, 2008; and be it further

RESOLVED, That with this reporting extension, the Joint Committee for the Constitutional Convention Proposal shall continue to operate pursuant to its enabling resolution.

Adopted by the Senate, April 10, 2008.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 78

WHEREAS, It is the great honor of the Illinois General Assembly to pay tribute to those who devote their lives to the protection of the general public; and

WHEREAS, Calhoun County Chief Deputy Sheriff Brian K. Gibbons was born on November 19, 1972

in Alton to Dennis Gibbons and Debbie (Bailey) Gibbons; he earned his associate's degree in business from Lewis and Clark Community College in 1993 and his bachelor's degree in law enforcement and justice administration in 1999; he became a certified police officer in 2002, when he graduated from Southwestern Police Academy; and

WHEREAS, Brian Gibbons served the citizens of Calhoun County as Chief Deputy Sheriff of the Calhoun County Sheriff's Office, a position he served in with pride and distinction; on the fateful date of July 9, 2006, while on duty in full uniform, Brian Gibbons' marked Calhoun County squad car was struck by a drunk driver; Deputy Gibbons passed away two days later on July 11, 2006; and

WHEREAS, Brian Gibbons also served his country with pride as a member of the United States Army, another measure of his respect and love for his fellow man; and

WHEREAS, Deputy Brian Gibbons' loyalty and dedication to the citizens of Calhoun County as an officer of the law, and his willingness to serve the people even at the expense of his own life, is deserving of the highest respect of the Illinois General Assembly and the citizens of the State of Illinois; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate the portion of Illinois Route 100 residing in Calhoun County as the Brian Gibbons Memorial Highway in honor of this brave officer; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the Brian Gibbons Memorial Highway; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Secretary of the Illinois Department of Transportation and the Calhoun County Board.

Adopted by the Senate, April 10, 2008.

Deborah Shipley, Secretary of the Senate

A message from the Senate by

Ms. Shipley, Secretary:

Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, in the adoption of which I am instructed to ask the concurrence of the House of Representatives, to-wit:

SENATE JOINT RESOLUTION NO. 77

WHEREAS, Robert Ridgway was an internationally known scientist, explorer, ornithologist, naturalist, inventor, author, and artist; and

WHEREAS, Robert Ridgway served with the Smithsonian Institution for 62 years and was Zoologist for the USGS 40th Parallel Expedition and the Harriman Expedition in Alaska; and

WHEREAS, Robert Ridgway ranks with John James Audubon, Daniel Boone, Thomas Edison, the Wright Brothers, and John C. Fremont for his accomplishments and explorations for America and the world; and

WHEREAS, The Illinois State Historical Society and the Illinois Department of Transportation in 1967 erected a historical sign 1.5 miles east of the Fox River Bridge, along U.S. Route 50, to honor Robert Ridgway; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the U.S. Route 50 Fox River Bridge, west of the City of Olney in Richland County, be designated the Robert Ridgway Bridge; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name; and be it further

RESOLVED, That copies of this resolution be delivered to the Secretary of the U.S. Department of Transportation; the Secretary of the Illinois Department of transportation; the mayor of the City of Olney;

and the Richland County Board.

Adopted by the Senate, April 10, 2008.

Deborah Shipley, Secretary of the Senate

A message from the Senate by
Ms. Shipley, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of a bill of the following title to-wit:

HOUSE BILL NO. 2482

A bill for AN ACT concerning revenue.
Passed by the Senate, April 10, 2008.

Deborah Shipley, Secretary of the Senate

A message from the Senate by
Ms. Shipley, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 21

Together with the attached amendment thereto, in the adoption of which I am instructed to ask the concurrence of the House, to-wit:

Senate Amendment No. 1 to HOUSE JOINT RESOLUTION NO. 21
Concurred in the Senate, as amended, April 10, 2008.

Deborah Shipley, Secretary of the Senate

HOUSE JOINT RESOLUTION NO. 21
SENATE AMENDMENT NO. 1

AMENDMENT NO. 1 TO HOUSE JOINT RESOLUTION 21
AMENDMENT NO. 1. Amend House Joint Resolution 21 on page 4, line 10, by replacing "2007" with "2008".

A message from the Senate by
Ms. Shipley, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 82

Concurred in the Senate, April 10, 2008.

Deborah Shipley, Secretary of the Senate

A message from the Senate by
Ms. Shipley, Secretary:
Mr. Speaker -- I am directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of the following joint resolution, to-wit:

HOUSE JOINT RESOLUTION NO. 125

Concurred in the Senate, April 10, 2008.

Deborah Shipley, Secretary of the Senate

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Turner became the new principal sponsor of HOUSE BILL 2248.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Howard became the new principal sponsor of HOUSE BILL 2748.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative John Bradley became the new principal sponsor of HOUSE BILL 2332.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Currie became the new principal sponsor of HOUSE BILL 2392.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Fritchey became the new principal sponsor of HOUSE BILL 2094.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 2296 (Watson), 2303 (Currie), 2311 (Hoffman), 2366 (Rose), 2434 (Flider), 2444 (Mathias) and 2461 (Mendoza).

SENATE RESOLUTIONS

The following Senate Joint Resolution, received from the Senate, were read by the Clerk and referred to the Committee on Rules: SENATE JOINT RESOLUTION 83 (Miller).

HOUSE RESOLUTIONS

The following resolutions were offered and placed in the Committee on Rules.

HOUSE RESOLUTION 1188

Offered by Representative Franks:

WHEREAS, Article V, Section 11 of the Illinois Constitution authorizes the Governor to reorganize executive agencies that are directly responsible to the Governor; and

WHEREAS, Article V, Section 11 also provides that if the proposed reorganization would contravene a statute, it may be disapproved within 60 days by either house of the General Assembly by record vote of a majority of the members elected; and

WHEREAS, The Governor has issued Executive Order No. 1 (2008), which reorganizes certain agencies designated as "Environmental and Economic Development Affected Agencies", "Healthcare Affected Agencies", and "Social Services Affected Agencies" by transferring certain common administrative functions and common application development functions from those agencies to the Department of Transportation, the Department of Healthcare and Family Services, and the Department of Human Services and creating within each of those 3 agencies a Division of Shared Services; and

WHEREAS, The proposed reorganization would contravene numerous statutes, including those listed in

Executive Order No. 1 (2008); and

WHEREAS, Executive Order No. 1 (2008) was filed with the Clerk of the House on March 31, 2008; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we disapprove Executive Order No. 1 (2008) in its entirety; and be it further

RESOLVED, That copies of this resolution be delivered to the Governor and the President of the Illinois Senate.

HOUSE RESOLUTION 1190

Offered by Representative Franks:

WHEREAS, In 2006, Governor Rod Blagojevich promised to provide State money to Pilgrim Baptist Church (the "Church") in Chicago to rebuild following a fire; and

WHEREAS, In March of 2007, a \$1 million grant allegedly intended for the Church was misdirected to the private Loop Lab School, which had previously occupied space in a Church building, but is otherwise unaffiliated with it; and

WHEREAS, The grant was provided by funds appropriated to the Illinois Department of Commerce and Economic Opportunity; and

WHEREAS, Loop Lab School reportedly used the \$1 million grant from the State of Illinois to purchase space in a downtown high-rise, but has not yet reopened as a school facility; and

WHEREAS, Reportedly, the Governor's Office and Church officials are negotiating a new grant agreement to provide the Church with the promised assistance; and

WHEREAS, In the meantime, no attempts at recovering the funds misdirected to Loop Lab School have been made; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that the Auditor General is directed to conduct a management audit of the process involved in the \$1 million grant to Loop Lab School; and be it further

RESOLVED, That this management audit include, but not be limited to, the following determinations:

(1) how and when the funds were promised to the Church, and what process was followed, if any;

(2) how and when the funds were provided to the Loop Lab School, and what process was followed, if any;

(3) what person or persons were involved in these transactions;

(4) what internal controls are present in the grant award process at the Illinois Department of Commerce and Economic Opportunity, and whether those internal controls were followed and are adequate to ensure that grants are awarded to proper parties for intended purposes;

(5) what actions, if any, are being followed to either recover the misdirected funds and/or determine the purpose for which the funds have been used, and whether they have been used for a legitimate purpose; and

(6) whether a grant to the Church is currently being developed and, if so, what controls will be put in place to ensure the funds, if provided, are used for their intended purpose; and be it further

RESOLVED, That we urge that the Illinois Department of Commerce and Economic Opportunity, the Office of the Governor, and any other entity having information relevant to this audit cooperate fully and promptly with the Auditor General's Office in the conduct of this audit; and be it further

RESOLVED, That the Auditor General commence this audit as soon as possible and report his findings and recommendations upon completion in accordance with the provisions of Section 3-14 of the Illinois State Auditing Act.

At the hour of 4:25 o'clock p.m., the House adjourned until Tuesday, April 15, 2008.